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4 JAMAL ANTHONY PRITCHETT,  
5 Plaintiff,  
6 v.  
7 NATHAN G. SIEGEL,  
8 Defendant.

9 Case No. [16-cv-04599-JSC](#)  
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13 **ORDER DISMISSING COMPLAINT  
14 WITHOUT PREJUDICE**  
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16 Re: Dkt. No. 1  
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19 Plaintiff Jamal Anthony Pritchett, proceeding pro se, filed the instant complaint against  
20 Defendant Nathan G. Siegel for claims of misrepresentation and negligence arising from  
21 Defendant's failure to maintain habitable premises for Plaintiff. (Dkt. No. 1.) Plaintiff has  
22 consented to the jurisdiction of a magistrate judge pursuant to 28 U.S.C. § 636(c). (Dkt. No. 3.)

23 As Plaintiff is proceeding *in forma pauperis*, the Court previously reviewed Plaintiff's  
24 complaint pursuant to 28 U.S.C. § 1915 and dismissed the complaint with leave to amend because  
25 it failed to establish a basis for subject matter jurisdiction. (Dkt. No. 5.) Although Plaintiff had  
26 until September 30, 2016 to file an amended complaint correcting any pleading defects, he has  
27 failed to do so. Accordingly, the Court ORDERS that Plaintiff's complaint be DISMISSED  
28 without prejudice to Plaintiff pursuing his claims in state court.

The Clerk is directed to close the file.

**IT IS SO ORDERED.**

Dated: October 6, 2016

JACQUELINE SCOTT CORLEY  
United States Magistrate Judge